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Docket PHO-120

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Dees et al.

Serial No.: 09/817,448

Filed: March 26, 2001

For: Intracorporeal Medicaments For High
Energy Phototherapeutic Treatment
Of Disease

Examiner: G. Gabel

Art Unit: 1641

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Shannon Wallace

Date: May 12, 2005

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §1.97, Applicant hereby calls the Examiner's attention to documents listed on the attached form which documents may be material to the examination of this application. A copy of each reference is included herewith.

No interference should be drawn that any apparatus disclosed is equivalent to the subject invention.

The citation of the above discussed documents is not to be construed as an assertion that more pertinent art could not possibly be in existence. Citation of any document herein is not to be construed as an admission that any subject matter disclosed in the document is necessarily within the inventive field of endeavor, that any disclosure is necessarily prior in time to a particular date

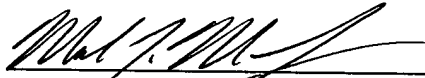
which may be relevant to the instant patent application, and/or that any disclosure is otherwise necessarily prior art with respect to the instant invention.

Applicant also respectfully reserves the right to later set forth how the instant invention is distinguished over the disclosure of any document or other art, including the disclosure of those documents discussed herein, that may be cited by the Examiner in rejecting a claim in the instant patent application.

This reference was cited in an Office Action dated April 4, 2005 in application USSN 09/570,640 which was in the last three months. Accordingly, Applicants do not believe a fee is necessary for this IDS. If a fee is required, please charge our Deposit Account No. 50/1039.

Respectfully submitted,

Dated: *May 12, 2005*


Mark J. Murphy
Registration No. 34,225

COOK, ALEX, McFARRON, MANZO,
CUMMINGS & MEHLER, LTD.
200 West Adams Street, Suite 2850
Chicago, Illinois 60606
(312) 236-8500

Customer no. 000026568

